

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Brent Gunter, Michael Huston,
and Justin Piper,

Plaintiffs,

v.

Civil No. 09-3016 (JNE/SRN)
ORDER

Rudder Capital Corporation and
Rudder Digital Inc.,

Defendants.

On September 10, 2010, the Court ordered Plaintiff Justin Piper to show cause in writing on or before October 15, 2010, why his claims should not be dismissed for failure to prosecute. Plaintiff Piper has not responded to the Court's Order. Accordingly, the Court dismisses his claims without prejudice.

On October 14, 2010, the Court concluded that default judgment in favor of Plaintiffs Brent Gunter and Michael Huston was appropriate. Having dismissed Plaintiff Piper's claims, the Court now enters judgment in Plaintiffs Gunter's and Huston's favor pursuant to the October 14 Order.

Based on the files, records, and proceedings herein, and for the reasons stated above, IT IS ORDERED THAT:

1. Piper's claims are dismissed without prejudice for failure to prosecute.
2. Damages in the amount of \$11,463.72 are awarded in favor of Gunter against Defendants.
3. Damages in the amount of \$5615.96 are awarded in favor of Huston against Defendants.

4. Gunter and Huston are awarded attorney fees in the amount of \$21,460.00 against Defendants.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 29, 2010

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge